

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1, 4 and 5 have been amended. Claims 1-12 are pending and under consideration. The rejections in the Office Action mailed December 17, 2003 are discussed below.

REJECTION UNDER 35 U.S.C. §112/OBJECTION TO AMENDMENT:

Claim 10 is rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Similarly, the amendment to the Specification filed on September 26, 2003 is objected to.

The basis of the Examiner's position is that the feature that the crankshaft 16 does not revolve around the input gear is not supported by the original disclosure. However, the Examiner's attention is directed to present FIG. 1, which illustrates the input gear 14 and the crank shaft 16. According to this FIG., the crankshaft 16 is disposed radially inward with respect to the input gear 14 and is supported by bearings 20. Thus, the rotation of the crank shaft 16 is about an axis passing therethrough. In order for the crankshaft 16 to rotate around the input gear 14, the crankshaft 16 would have to move beyond the housing of the apparatus. However, such a movement would be impossible.

Thus, it is submitted that this feature is supported by the original figures and therefore the amendments are permissible.

REJECTION UNDER 35 U.S.C. §102:

Claims 1, 2, 4-7 and 11 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 4,690,010 to Matsumoto et al.

Using independent claim 4 as an example, this claim recites that the shaft of the motor is spaced from a center of rotation of the rotating member of speed reducer. The Examiner's attention is drawn to present FIG. 1, which illustrates the arrangement of the motor 13 and the rotating member 21.

According to the Examiner, the centers of rotation in Matsumoto et al. are about the input crankshaft 30 and the drive shaft 7. In this reference, the motor 2 is placed at the center of rotation of the cylindrical support member 4. However, contrary to the Examiner's interpretation, the rotating member 72 does not correspond to the claimed rotating member. Instead, since the support member 4 supports the crank shaft 30 and can rotate around the central axis of the internal gear 28 with respect to the casing, the support member 4 more closely corresponds to the claimed rotating member. However, the motor 2 is placed at a center of rotation of the support member 4.

Independent claims 1 and 5 recite similar features.

Dependent claim 10 recites that the crank shaft does not revolve around the input gear. However, the crank shaft 30 of Matsumoto is not the center of rotation. Instead, this element is also a rotating element, which rotates about input gear 22 of Matsumoto.

REJECTION UNDER 35 U.S.C. §103:

Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto et al. Claims 3, 8, 9 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Matsumoto et al. in view of U.S. Patent 5,606,235 to Mauletti.

It is respectfully submitted that Mauletti does not overcome the deficiencies of Matsumoto et al., and is not relied upon by the Examiner for this purpose.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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